

REMARKS

Claims 1-3, 5, 7, and 16-22 have been canceled without prejudice for re-presentation in a continuing application, such as a divisional application.

Claims 4, 6, 8, and 9-15 have been revised to depend directly or indirectly from examined claim 23.

Claims 23-27 have been revised to use alternative language to embrace the intended subject matter. No change in claim scope is intended or believed to have occurred.

No new matter has been introduced, and entry of the above revised claims is respectfully requested.

Restriction Requirement

Claims 23 and 24 were indicated as examined based upon the elections of an inhibitor of adenylyl cyclase as the species in a first instance and 9-(tetrahydro-2'-furyl) adenine as the species in a second instance. But as the Office previously acknowledged, claim 23 is a genus claim that encompasses more than one species at the levels of both the first and second instances.

The practice of a requirement for an election of species is well established in U.S. patent practice and includes recognition that the species election is used to facilitate the necessary search and that should the elected species be found allowable, search and examination in the application continues with the next species.

Therefore, and in the absence of any issue based upon cited documents, Applicants understand that search and examination has occurred at least with respect to the elected species of 9-(tetrahydro-2'-furyl) adenine (in the second instance) and the species of an inhibitor of adenylyl cyclase (in the first instance).

Now that the alleged rejections under 35 U.S.C. § 112, second paragraph, are removed via the above revised claims and the discussion below, Applicants respectfully request that search and examination continue within generic claim 23 to at least one of the remaining species, which are an inhibitor of protein kinase A (claims 11 and 25), an inhibitor of protein kinase C (claims 12 and 26), and an activator of Gi protein (claims 13 and 27).

If the Office believes the above to be incorrect, Applicants respectfully request clarification and indication of why search and examination will not continue with the next

species in light of the Requirement for Election of Species expressed in the Actions of January 29 and March 27, 2007.

Alleged rejection under 35 U.S.C. § 112, second paragraph

Claims 23 and 24 were rejected as allegedly indefinite for “being incomplete for omitting essential steps, such omission amounting to a gap between the steps.” The allegedly missing steps are “method steps involved in modulating such as monitoring the expression of certain enzyme; a correlating step to accomplish the preamble of the claim.”

Applicants have carefully reviewed the statement of the instant rejection and believe that it has been fully addressed by the revised claims as presented above. In particular, the claims have been revised to expressly recite certain inherent features of the claimed methods.

Applicants respectfully point out that the claimed methods are directed to administration of an effective amount of certain agents based on their inherent properties and activities. Therefore, the methods comprise a single action, so no “gap between the steps” is possible. Additionally, the claimed methods to administer agents do not necessarily require a “monitoring step” as alleged, and so the statement of the rejection in this regard is not understood. Clarification is respectfully requested if this issue is maintained.

Furthermore, claim 23 has been revised to relate the effective amount of the featured agents to the modulation of cellular senescence. This is believed to address the asserted issue of “a correlating step to accomplish the preamble of the claim.”

In light of the above, this rejection is believed to have been obviated and so may be properly withdrawn.

Conclusion

It is believed that the application is now in condition for allowance. Applicants urge the Examiner to pass the application to issue.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at the number provided below.

The Commissioner is hereby authorized to charge JHK Law's Deposit Account No. **502486** for such fees required under 37 CFR §§ 1.16 and 1.17 and to credit any overpayment to said Deposit Account No. **502486**.

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Respectfully submitted,

/Joseph Hyosuk Kim/

Joseph Hyosuk Kim, Ph. D.
Registration No. 41,425

JHK Law
P.O. Box 1078
La Canada, CA 91012-1078
Telephone: 818-249-8177
Facsimile: 818-249-8277